

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
COMMISSION FOR THE PURPOSE OF  
CONSIDERING:

APPLICATION OF NEARBURG  
EXPLORATION COMPANY, L.L.C. FOR  
COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE 11563 (De Novo)

**PRE-HEARING STATEMENT**

This Prehearing Statement is submitted by Campbell, Carr, Berge & Sheridan, P.A.,  
as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

APPLICANT

Nearburg Exploration Company, L.L.C.  
c/o Bob Shelton  
3300 North "A" Street, Suite 120  
Midland, TX 79705  
(915) 686-8235

name, address, phone and  
contact person

ATTORNEY

William F. Carr, Esq.  
Campbell, Carr, Berge & Sheridan, P.A.  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505) 988-4421

OTHER PARTY

A. L. Cone Partnership  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

name, address, phone and  
contact person

ATTORNEY

James G. Bruce, Esq.  
Hinkle, Cox, Eaton, Coffield & Hensley  
Post Office Box 2068  
Santa Fe, New Mexico 87504-2068  
(505) 982-4554

**STATEMENT OF CASE**

APPLICANT

(Please make a concise statement of what is being sought with this application and the reasons therefore.)

Nearburg Exploration Company, L.L.C., applicant seeks an order pooling all mineral interests in all formations developed on 80-acre spacing, including but not limited to the West Lovington-Strawn Pool, under Lots 15 and 16 of Section 3 and all interests in all formations developed on 40-acre spacing, including but not limited to the Northeast Eidson-Mississippian Pool, under Lot 16 of Section 3, all in Township 16 South, Range 35 East. Said unit is to be dedicated to its Nike "3" Well No. 1 to be drilled at a standard location 3070 feet from the South line and 330 feet from the East line of said Section 3. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges fore supervision, designation of applicant as the operator of the well and a charge for risk involved in drilling and completing said well.

OTHER PARTY

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

**PROPOSED EVIDENCE**

APPLICANT

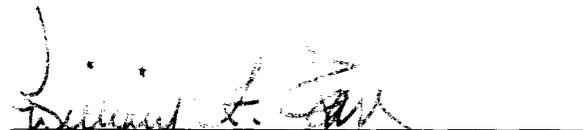
| WITNESSES<br>(Name and expertise) | EST. TIME | EXHIBITS        |
|-----------------------------------|-----------|-----------------|
| Bob Shelton, Land                 | 10 Min.   | Approximately 5 |
| Jerry Elger, Geology              | 10 Min.   | Approximately 2 |

OTHER PARTY

| WITNESSES<br>(Name and expertise) | EST. TIME | EXHIBITS |
|-----------------------------------|-----------|----------|
|-----------------------------------|-----------|----------|

**PROCEDURAL MATTERS**

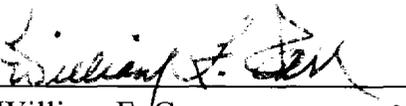
(Please identify any procedural matters which need to be resolved prior to hearing)

  
Signature

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a true and correct copy of the foregoing Pre-Hearing Statement to be hand-delivered on this 24<sup>th</sup> day of October, 1996 to the following counsel of record:

James G. Bruce, Esq.  
Hinkle, Cox, Eaton, Coffield & Hensley, L.L.P.  
218 Montezuma Street  
Santa Fe, New Mexico 87501

  
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William F. Carr